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Attorneys for Plaintiff, OLYMPIC DEVELOPMENTS AG, LLC

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

OLYMPIC DEVELOPMENTS AG, LLC,

Plaintiff,

v.

NINTENDO OF AMERICA INC.,

Defendant.

Case No. 4:11-cv-00329-SBA

**JOINT STIPULATION AND  
[PROPOSED] ORDER GRANTING  
LEAVE TO FILE AMENDED  
COMPLAINT AND WITHDRAWING  
MOTION TO DISMISS**

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AMENDED COMPLAINT AND WITHDRAWING MOTION TO DISMISS**

Case No. 4:11-cv-00329-SBA

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2           1.       Plaintiff Olympic Developments AG, LLC originally filed this patent case against  
3 Defendant Nintendo of America Inc. (“Nintendo”) in the Central District of California.

4           2.       Before responding to Plaintiff’s Complaint, and pursuant to the parties’ stipulation,  
5 the Central District Court ordered that the case be transferred to the Northern District of  
6 California. (Doc. 43, 54). The case was received in the Northern District of California on  
7 January 25, 2011. (Doc. 56.)

8           3.       After the matter was reassigned to the Honorable Sandra Brown Armstrong, on  
9 February 18, 2011, Nintendo moved to dismiss Plaintiff’s claims of indirect infringement. (Doc.  
10 68.) Nintendo’s motion is currently calendared to be heard on June 7, 2011.

11           4.       Prior to and following the filing of Nintendo’s motion, the Parties met and  
12 conferred on the relief requested in Nintendo’s motion to dismiss. The parties now jointly request  
13 that the Court grant leave to allow Plaintiff to amend its complaint to remove the allegations of  
14 indirect infringement as shown in Exhibit 1 attached hereto within fourteen days of the date this  
15 Stipulation is approved by the Court.

16           5.       The Parties further stipulate and agree that Nintendo shall withdraw its motion to  
17 dismiss without prejudice upon the Court’s approval of this Stipulation and Plaintiff’s filing of  
18 the amended complaint which is attached as Exhibit 1.

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6. Pursuant to Civil L.R. 6.2(a), the Declaration of Steven W. Ritcheson setting forth the reasons for the extension accompanies this Joint Stipulation and [Proposed] Order.

IT IS SO STIPULATED.

Dated: May 10, 2011

WHITE FIELD, INC.

By: /s/ Steven W. Ritcheson  
Steven W. Ritcheson  
Attorneys for Plaintiff Olympic  
Developments AG, LLC

BAKER & MCKENZIE LLP

By: /s/ D. James Pak  
D. James Pak  
Attorneys for Defendant  
Nintendo Of America Inc.

Dated: \_\_\_\_\_

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 6/1/11



Hon. Sandra Brown Armstrong  
Magistrate Judge of the United States  
District Court, Northern District

**SIGNATURE ATTESTATION**

Pursuant to General Order 45.X(B), I hereby attest that concurrence has been obtained from the above-named counsel indicated by a “conformed” signature(s) within this e-filed document.

/s/ Steven W. Ritcheson

Steven W. Ritcheson